

EXHIBIT B

From: Kennedy, Scott P. <Scott.P.Kennedy@usdoj.gov>
Sent: Wednesday, September 13, 2023 2:54 PM
To: VanDruff, Laura Riposo
Cc: Cowan, Zachary L.; Berman, Greg; Durrant, Rebecca
Subject: RE: time for short call?

Laura,

Thank you for your email. To clarify, Exhibit 011 to the Roque deposition (identified as Exhibit H in the government's recent filings in *U.S. v. Twitter*) was not provided to any current or former X Corp. employees by the FTC, nor was that document discussed in the depositions identified in the government's Motion to Consider Whether Other Parties' Material Should be Sealed. The Motion to Consider's statement about "those documents" referred to in the depositions, ECF No. 43 at 1, was intended to refer only to documents marked as confidential by X Corp.

Best regards,

Scott P. Kennedy
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From: VanDruff, Laura Riposo <LVanDruff@KelleyDrye.com>
Sent: Tuesday, September 12, 2023 8:46 PM
To: Kennedy, Scott P. <Scott.P.Kennedy@usdoj.gov>
Cc: Cowan, Zachary L. <Zachary.L.Cowan@usdoj.gov>; Berman, Greg <GBerman@KelleyDrye.com>; Durrant, Rebecca <RDurrant@kelleydrye.com>
Subject: [EXTERNAL] RE: time for short call?

Good evening, Scott.

Thank you for the service copy of the United States' Motion to Consider Whether Other Parties' Material Should be Sealed.

In your filing, you state that Exhibit H to the Motion to Consider—which EY designated as confidential when it produced the document to the FTC pursuant to 15 U.S.C. § 57b-2(b)(3)(C), and the confidence of which EY worked to maintain in X Corp.'s action in the District Court of the District of Columbia and by my September 8, 2023 request that the Department file a Motion to Consider—is "refer[ed] to in the depositions" of Seth Wilson, Andrew Sayler, Damien Kieran, and Lea Kissner, who we understand to be current and former employees of Twitter (now X Corp.).

Will you please provide more information about the circumstances under which Exhibit H may have been shared with Twitter's employees or former employees? Of course, if I misunderstand the United States' filing or if it would be easier to discuss live, you are welcome to call me.

Kind regards,

Laura

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